

**REMARKS**

**A.) The Section 102(b)/103 Rejections of Original Claims 1, 3-7 and 12-16**

Original claims 1, 3-7 and 12-16 were rejected under 35 U.S.C. §102(b) or the alternative 35 U.S.C. §103(a) as being obvious over Laude, U.S. Patent No. 2,537,362 ("Laude"). Applicants respectfully submit that these rejections are now moot for at least the following reasons.

Applicants submit that new claims 15-20 are patentable over Laude because each of these claims includes a comparison of "a light intensity of each non-inverted signal to a light intensity that is associated inverted signal" and the selection of "the signal with a higher intensity".

In contrast, Laude does not compare light intensity signals. Instead, it carries out a algebraic subtraction in order to combine two signals into a single signal.

More specifically, Laude appears to disclose the reception of two signals c1, and c2 which are demultiplexed into signals d1, and d2. These demultiplexed signals are then separately applied to detectors D1 and D2. Each of these detectors outputs a signal e1 and e2 that is algebraically subtracted in a differential amplifier 7 to form a final signal, f.

Applicants respectfully submit that this algebraic subtraction is not akin to, or suggestive of, the comparison feature in the claims of the present invention.

In addition, Applicants submit that Laude fails to disclose the selection of one of the two signals (i.e., the one with higher intensity) as in the claims of the present invention. Instead, signals d1 and d2 are used to form a new signal f.

Because Laude does not disclose or suggest the comparison and selection steps of the present invention, Laude cannot anticipate or render obvious the subject matter of claims 15-20.

Accordingly, Applicants respectfully request withdrawal of the pending rejections and allowance of claims 15-20.

**B.) The Section 103 Rejection of Claims 2 and 8-11**

Original claims 2 and 8-11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Laude. Applicants respectfully submit that these rejections are now moot for at least the following reasons.

Applicants note that these claims have been canceled and replaced by new claims 15-20, and that claims 15-20 are patentable over Laude for the reasons set forth above.

**CONCLUSION**

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number of the undersigned below.

In the event this Response does not place the present application in condition for allowance, applicant requests the Examiner to contact the undersigned at (703) 668-8000 to schedule a personal interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

  
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